

MINUTES

November 15, 2005

The State Board of Registration for Professional Engineers and Land Surveyors met on November 15, 2005 in Conference Room 102 at the office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

BOARD MEMBERS PRESENT:

E. Charles Vickery, PE - Chairman
Richard K. Little, PE
Guy F. Ritter, PE
Doris I. Willmer, PE
Theodore W. Waddle, LS, PE
Mark E. Chastain, LS
Gloria B. Ransom, Ph.D., Public Member
John H. Sweitzer, PE

BOARD MEMBERS ABSENT:

William W. Dean, PE

STAFF PRESENT:

J. Darren Mickler – Board Executive Director
Julie Busbee – Board Secretary
Vivian Stephens – Board Application Specialist
Sharon Harrison – Compliance Secretary

ATTORNEY GENERAL REPRESENTATIVE:

Patricia Downing, Senior Assistant Attorney General

GUESTS PRESENT:

Hardwick Butler, Professor at Middle Georgia College, representing Surveying and Mapping Society of Georgia
Roger Purcell, Professor at Middle Georgia College, representing Surveying and Mapping Society of Georgia

Call to order:

Chairman Vickery called the meeting to order at 9:30 am. Ms. Kimberly McKay from the Information Technology department presented a demonstration of the new features of the Secretary of State website that allows applicants to check the status of their applications online and be notified of receipt of the application and when they become licensed. She also demonstrated the feature allowing the public to view Board Orders on the web.

Mr. Vickery asked for any additions or deletions to the proposed agenda. Mr. Chastain moved to adopt the agenda as presented. Mr. Little seconded. Motion carried.

Approval of Minutes:

Chairman Vickery presented a draft of the July 19, 2005 minutes, amended draft of the September 13, 2005 minutes, and draft of the October 4, 2005 minutes. Mr. Little moved to adopt the July 19, 2005 and October 4, 2005 minutes as written and the September 13, 2005 minutes are amended. Mr. Ritter seconded. Motion carried.

Professional Societies and Guests

Chairman Vickery recognized the guests present, Mr. Hardwick Butler and Mr. Roger Purcell, both representing the Surveying and Mapping Society of Georgia. They had no report or comments.

Executive Director's Report

Mr. Mickler announced that he is working on old complaint cases and has some ready to assign to Board members for follow up. He also stated that two new attorneys had been hired in the Legal Services Section and that they have been working on backlogged cases as well.

Mr. Mickler presented a letter of request from Robert B. Davis, PE, who asked to be allowed to "directly supervise, on a daily basis" his staff from a remote location in Brazil. After discussion, Chairman Vickery directed Mr. Mickler to answer the letter that the Board has denied Mr. Davis's request. Chairman Vickery also assigned Ms. Willmer the task of drafting a change to the rule regarding direct supervisory control from other locations.

Old Business:

2006 Southern Zone Meeting:

Mr. Mickler stated that he had turned in the budget figures for the 2006 Southern Zone Meeting to NCEES for approval. He announced that he, Ms. Willmer and Chairman Vickery had met with Laura Meadows, Assistant Secretary of State and Mollie Fleeman, Division Director regarding plans for the Southern Zone meeting. Chairman Vickery directed Mr. Mickler to assign tasks to the Board members to cover the agenda and special events involved with the meeting.

Task Force Assignments:

Ms. Willmer reported that she is scheduled to speak at a meeting of the Society of Women Engineers in January and a meeting of Georgia Society of Professional Engineers (GSPE) in February. She invited any Board members who would like to attend with her.

Coalition Report:

Ms. Willmer reported that the Coalition met last week and wants to model the State Board of Registration for Professional Engineers and Land Surveyors after the Real Estate Commission.

Surveyors Education Standards:

In an effort to inform surveyor candidates and protect the public, Mr. Chastain moved to adopt the following proposed policy regarding acceptable surveying coursework for candidates applying after the Spring 2006 semester.

Land Surveying Course Acceptance Policy

This policy is a tentative regiment based on commonly presented courses. This list is not conclusive, other courses may be acceptable. Any course may be presented to the Board for evaluation of acceptability. This list may not reflect recent changes in course offerings and is subject to change accordingly. All courses listed are approved as listed unless noted otherwise as follows:

- <*> old course offerings on quarter system
- <P> courses listed are considered prerequisite material, no credit will be given
- <1> such courses are considered as a first surveying course, credit will be allowed for only one "first" course
- <1/2> due to some course content containing material that is not surveying, half credit is granted for courses so indicated
- <N> No credit is granted for courses so indicated
- <L> Courses so noted contain legal aspects or boundary law, ***one such course must be included in the applicant's transcript(s)***
- <H> Courses so noted apply towards the 5 Qtr hour requirement in Hydrology
NOTE: Courses by SPSU and MGC called "Hydrology for Surveyors" will NOT be given credit if taken *after* Spring semester 2006.

Southern Polytechnic State University

| | | |
|--------------|--|-------------------|
| <*> CET 221 | Elementary Surveying | 4 Qtr hrs <1> |
| <*> SURV221 | Elementary Surveying | 4 Qtr hrs <1> |
| <*> SURV 222 | Route Surveys | 4 Qtr hrs |
| SURV 2221 | Surveying 1 | 4 Sem hrs <1> |
| SURV 3222 | Surveying 2 | 4 Sem hrs |
| SURV 3421 | GIS 1 | (2) Sem hrs <1/2> |
| SURV 4415 | Geodetic Surveying | 4 Sem hrs |
| SURV 4465 | Legal Aspects | 4 Sem hrs <L> |
| SURV 4470 | Land Development Design | 4 Sem hrs |
| SURV 4475 | Land Surveying Practice | 2 Sem hrs |
| <*> CET 444 | Applied Hydrology | 5 Qtr hrs <H> |
| CET 4444 | Applied Hydrology | 4 Sem hrs <H> |
| CET 2250 | Hydrology for Surveyors <u><P> after sp 2006</u> | 4 Sem hrs <H> |

Middle Georgia College

| | | |
|-----------|---------------------------------------|-----------------|
| ENGR 1500 | Elementary Surveying Calculations <P> | (0) Sem hrs <N> |
| ENGR 2501 | Plane Surveying | 3 Sem hrs <1> |
| ENGR 2502 | Advanced Surveying | 3 Sem hrs |
| ENGR 2503 | Surveying Laws | 3 Sem hrs <L> |

| | | |
|---|--|---------------------|
| ENGR 2516 | Introduction to GIS | (1.5) Sem hrs <1/2> |
| ENGR 2504 | Hydrology for Surveyors <P> after sp 2006 | 3 Sem hrs <H> |
| ENGR 2505 | Computer Applications for Hydrology/Hydraulics | 3 Sem hrs <H> ** |
| ** credit granted only if course contains retention pond design | | |

Georgia Institute of Technology

| | | |
|-------------|-----------------|---------------|
| <*> CE 2264 | Plane Surveying | 4 Qtr hrs <1> |
| CEE 3010 | Geomatics | 3 Sem hrs <1> |
| CEE 4210 | Hydrology | 3 Sem hrs <H> |

University of Georgia

| | | |
|--|---|-------------------------|
| FORS 3000 | Field orientation & measurements <1> | (2) Sem hrs <1/2> |
| FORS 3910 | Spatial information <1> | (2) Sem hrs <1/2> |
| FORS 3010 | Dendrology | (2) Sem hrs <1/2> |
| ENGR 3120 | Engineering measurements & spatial data <1> | 3 Sem hrs |
| ENGR 3410 | Natural Resource Engineering | 3 Sem hrs <H> |
| ENGR 3060 | Soils & Hydrology | <1/2>** (2) Sem hrs <H> |
| ** half credit granted because no design element in course | | |

Chattanooga State Technical College

| | | |
|--------|----------------------|---------------|
| CI 174 | Surveying 1 | 4 Sem hrs <1> |
| CI 274 | Surveying 2 | 4 Sem hrs |
| CI 298 | GPS Surveying | 1 Sem hr |
| CI 224 | Hydrology/Hydraulics | 3 Sem hrs <H> |

Troy State University

| | | |
|----------|------------------------------------|-------------------|
| GEM 2220 | Basic Cartography and Surveying | 3 Sem hrs <1> |
| GEM 3309 | Land parcel administration and law | (2) Sem hrs <1/2> |
| GEM 3310 | Land Surveyingpractice | 4 Sem hrs |
| GEM 3370 | Geodesy | 4 Sem hrs |
| GEM 3366 | Photogrammetry and Remote Sensing | 4 Sem hrs |
| GEM 3366 | Introduction to GIS | (2) Sem hrs <1/2> |
| GEM 4405 | Route & Construction Surveying | 3 Sem hrs |
| GEM 4407 | Land Development & Design | 2 Sem hrs |
| GEM 4409 | Hydrology | 4 Sem hrs <H> |

Thompson Direct Education (Formerly International Correspondence Schools)

Georgia Land Surveyor program (or equivalent) accepted only if program of study was begun prior to January 1, 2006. Completed transcript must be submitted with application prior to June 1, 2007 in order to be considered.

Other institutions and U.S. Military courses will be evaluated case by case. Commonly encountered programs or courses will be added to this list periodically. General guidelines for courses:

1. No Mathematics, physics, or drafting courses qualify for the statutory requirements
2. All "first" surveying courses must have adequate prerequisites in math and drafting
3. Each applicant must present one course which deals with the legal aspects of land surveying or boundary law. If not taken at a Georgia school, applicants are strongly urged to familiarize themselves with Georgia's land division system and laws.

Qualifying hydrology courses must have sufficient prerequisites in physics, mathematics, fluid mechanics, and must cover the design of culverts, multi-structure systems, retention ponds, and open channel flow

Mr. Ritter seconded. Motion carried with Mr. Sweitzer and Ms. Willmer opposed.

New Business:

Mr. Mickler presented a letter of request from Mr. Mark H. Finley, PE for a waiver of the reinstatement fee. Mr. Ritter moved to deny. Mr. Chastain seconded. Motion carried.

Executive Session:

At 11:00 am, Mr. Chastain moved for the Board to enter into Executive Session to deliberate on applications and enforcement matters and to receive information on complaints and investigative reports. Mr. Ritter seconded. Motion carried.

The following Board members were present during Executive Session – Chairman Vickery, Mr. Waddle, Mr. Little, Mr. Ritter, Ms. Willmer and Mr. Chastain, Dr. Ransom and Mr. Sweitzer.

Reconvened Open Session at 1:55 pm with the following Board members present - Chairman Vickery, Mr. Waddle, Mr. Little, Mr. Ritter, Ms. Willmer and Mr. Chastain, Dr. Ransom and Mr. Sweitzer.

Investigations and Complaints:

PELS020142 – This case involved an architect who used the word “Engineering” in his advertisement. Mr. Sweitzer moved to authorize Ms. Downing, on behalf of the Board, to issue a Voluntary Cease and Desist Order at the appropriate time with a penalty of \$5000. Dr. Ransom seconded. Motion carried.

PELS030023 – This case involved a firm with allegations of unlicensed practice of engineering. Mr. Ritter moved to close the case with no action. Mr. Little seconded. Motion carried.

PELS020136 – This case involved unlicensed practice of engineering. Mr. Ritter moved to issue a Voluntary Cease and Desist Order with a penalty of \$1000. Ms. Willmer seconded. Motion carried.

PELS040056 – This case involved unlicensed practice of engineering. Ms. Willmer moved to issue a Voluntary Cease and Desist Order with a penalty of \$10,000 and send all case documentation to the District Attorney in the county where the incident occurred. Mr. Little seconded. Motion carried.

PELS01200085 – This case involved a Professional Engineer who listed his engineering firm as the “Architect of Record” on a drawing. Ms. Willmer moved to issue a Consent Order with a penalty of \$500 and refer the case to the Architect Board. Mr. Waddle seconded. Motion carried.

PELS040005 – This case involved allegations of substandard practice of professional engineering. Ms. Willmer moved to close the case with no action. Mr. Chastain seconded. Motion carried.

PELS040057 – This case involved a now-closed engineering firm with no Professional Engineer and a Professional Engineer stamping plans for the firm. Ms. Willmer moved to not pursue the firm, but to issue a Consent Order to the Professional Engineer with a Public Reprimand and a penalty of \$2000. Mr. Chastain seconded. Motion carried.

PELS01100072 – This case involved a Professional Engineer with allegations of copyright infringement. Mr. Waddle moved to close the case with no action. Mr. Ritter seconded. Motion carried. A letter will be sent to the complainant explaining why there are no violations.

PELS01200079 – This case involved allegations of unlicensed practice of engineering. Ms. Willmer moved to close the case with a Letter of Concern. Mr. Little seconded. Motion carried.

PELS050108 – This case involved allegations of unlicensed practice of engineering. Ms. Willmer moved to close the case with no action, but to write a letter to the owner suggesting that a Professional Engineer or Architect review the building plans, and write a letter to the State Fire Marshal cautioning that there was a violation of O.C.G.A. 25-2-14(b).

PELS01100112 – This case involved a Land Surveyor with allegations of plan-stamping. Mr. Chastain moved to amend the previous motion of issuing a Consent Order, to requesting a Voluntary Surrender. Mr. Little seconded. Motion carried.

PELS030029 – This case involved a Professional Engineer with violations in Tennessee. Mr. Chastain moved to issue a Consent Order with Public Reprimand and two years probation to begin on December 31, 2004 (the expiration date of his last valid license.) Dr. Ransom seconded. Motion carried.

PELS050096 – This case involved a Professional Engineer with violations in Nevada. Ms. Willmer moved to issue a Letter of Concern and close the case. Mr. Little seconded. Motion carried.

PELS050087 – This case involved a Professional Engineer who revealed violations in Florida when he attempted to renew. Mr. Little moved to deny renewal. Dr. Ransom seconded. Motion carried.

PELS060036 – This case involved a Professional Engineer who refused to sign a Consent Agreement for Reinstatement of his Professional Engineer's license. Ms. Willmer moved to deny reinstatement and issue a Voluntary Cease and Desist Order for unlicensed practice of professional engineering. Dr. Ransom seconded. Motion carried.

Dr. Ransom moved to accept a signed Voluntary Cease and Desist Order from John Sweatte, Chestetee Engineering for using the word “Engineering” in the title of his firm that is not an engineering firm. Mr. Little seconded. Motion carried. Mr. Sweatte will change the name of his firm to comply.

Mr. Ritter moved to accept a signed Voluntary Cease and Desist Order from Arthur J. Barreiro, Jr. for unlicensed practice of engineering. Mr. Waddle seconded. Motion carried.

Mr. Sweitzer moved to release the probation status on Earnest Baucom, PE020333. Ms. Willmer seconded. Motion carried.

Reinstatements:

Mr. Little moved to reinstate the Professional Engineer license of the following:

Peter Honeyford, PE022417
John Coulter, PE014381

Dr. Ransom seconded. Motion carried.

Ms. Willmer moved to reinstate the Professional Engineer license of Donald P. Miller. Mr. Little seconded. Motion carried.

Board Memo Comity Model Law Applicants:

Applicants for registration as Professional Engineers by comity, who have an ABET engineering degree, who have taken and passed an 8-hour fundamentals of engineering (EIT/FE) exam, who have a minimum of 48 months post graduation engineering experience as determined by a staff evaluation using the present Board guidelines, who have taken and passed an 8-hour principles and practice of engineering exam (PE Exam-taken at least 4 years after BS degree), and who comply in every way with the provisions of the appropriate law are as follows:

30641 Nix, Arthur C.
30644 Miller, Michael L.
30647 Thomas, Charles J.
30650 Yarley, Scott A.
30653 Antweiler, Andrew J.
30656 Clinton, Dustin D.
30659 Kelley, Ronald K.
30662 Vance, Edward J.
30665 Hallman, Randall J.
30668 Lebron, Carlo F.
30671 Blackwell, Richard L. III
30674 Wingard, Melissa U
30677 Grant, Stephen L.
30680 Hawk, Thomas C.
30683 King, Bryant A.
30686 Mahaffey, Paul C.
30689 Fitzpatrick, Douglas G.
30692 Perry, Neil L.

30642 Jones, Joel G.
30645 Ruggles, David R.
30648 Toussant, Jeffrey P
30651 Crawford, Michael A.
30654 Brown, Dennis W.
30657 Hager, Carl H.
30660 Kunihiro, Curtis I.
30663 Becker, Michael R.
30666 Johnson, Carrie J.
30669 Prager, Robert D.
30672 Bogert, Robert P.
30675 Carver, Aaron B
30678 Greenberg, Jason B.
30681 McDowell, Robert J.
30684 Klein, Glenn T.
30687 Martin, Robert F.
30690 Jones, Scott A.
30693 Posch, Robert M.

30643 McGinnis, Robert R.
30646 Sadler, Mary E.
30649 Wills, Guy J.
30652 Macrina, Jo Ann J.
30655 Cipriano, Gaetano P.
30658 Jackson, Lee C.
30661 McCarty, Wendall W.
30664 Beamon, Edgar J. Jr.
30667 Kinsel, Thomas E.
30670 Slone, Paul A.
30673 Whitt, Daryl J.
30676 Cheshire, Bradley F.
30679 Hapeshis, Louis G. III
30682 REzabek, Colleen A.
30685 LaFreniere, Todd E.
30688 Northrop, J. Ronald
30691 Wise, Mark O.
30694 Butler, Kenneth V.

30695 Carden, John M.
30698 Kirby, Stephen M.
30701 Ryan, Daniel W.
30704 Wiggin, Gary r.
30707 Rivera, Robert J.
30710 Hebert, Craig A.
30713 Boyles, G Scott
30716 Yankey, Gregory A
30719 Moskios, Peter, P.
30722 Hamilton, Samuel C. Jr.
30725 Yourkievitz, David T.
30728 Chappell, Robert H.
30731 Tourigny, Bruce D.
30734 Parsley, John P.

30696 Chalker, Lloyd R.
30699 Larson, Todd R.
30702 Smith, Larry B. Jr.
30705 Morefield, Kenneth N.
30708 Scallion, Jeremy R.
30711 Henderson, Jason S.
30714 Wetzel, Tara E.
30717 Yates, Steven M.
30720 Wood, Scott M.
30723 Michniewicz, Jennifer L.
30726 Nathnai, Imityaz K.
30729 Waters, William W.
30732 Busby, Bruce E.
30735 Klysen, Jeremy J.

30697 Hooker, Curtis L.
30700 Pickney, Robert J.
30703 Smoak, Charles D. Jr.
30706 Morton, James F.
30709 Severn, Guy N.
30712 Stell Ralph W. III
30715 Williams, Robert M.
30718 Gatton, Kevin L.
30721 Gill, Gary E.
30724 Seckinger, Eric W.
30727 Trankel, Doyle J.
30730 Johnson, James L.
30733 Charpentier, Ethan A.

Motion was made by Mr. Little to approve these applicants for PE registration by comity @ 43-15-16(a), via 43-15-8(1) and 43-15-9(1). The motion was seconded by Dr. Ransom. The motion carried.

Board Memo Engineer-In-Training – Regular Applicants:

Applicants for certification as an Engineers-in-Training by examination whose degrees were earned in engineering or engineering technology programs which attained ABET/CAB accreditation within two years of their having received their degrees, who have filed with the Board five acceptable references, who have had no convictions for moral turpitude or substantive reasons, and who comply in every way with the provisions of the appropriate law(s), are as follows:

Baldisserotto, Pierpaolo
Bunyasaranand, Christopher Adam
Clark, Cedric Dwayne
Echols, Anthony Jerome
Onabanjo, Oladimeji Adeyemi
Shaw, John Joseph

Benitez, Katherine Anne Harens
Burapavong, Tawatt Daniel
Conway, Richard Horton
Gough, Gregory Lee
Repass, Leslie Todd
Tran, Phan Ngoc

Berryman, Robert S.
Chung, Sung Ho
Cox Jr., Jerry Lee
Mack, Stenley Kevin
Rhoades, Jesse Austin
Wilson, Dwayne Omar

There being no further business, at 2:20 pm, Mr. Ritter moved to adjourn. Dr. Ransom seconded. Motion carried. Some Board members remained to review applications until they were finished.

Board Chairman

Division Director

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These minutes were approved at the December 13, 2005 meeting.